

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9018 – SB 9043

October 27, 2021

SUMMARY OF BILL: Requires the court to appoint a district attorney general pro tem for the purpose of prosecuting certain offenses when a district attorney general publicly states that any person accused of committing such an offense will not be prosecuted by the district attorney general under any circumstances. Establishes that the district attorney general pro tem is entitled to the same privileges and emoluments as the regular officer.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – The proposed legislation may result in an increase in state expenditures. The timing, duration, and amount of any increase is unknown and cannot be estimated with reasonable certainty.

Assumptions:

- Tenn. Code Ann. § 8-7-106(a) outlines the instances in which the court is required to appoint an attorney to supply a district attorney's place temporarily, which are:
 - Failure to attend the circuit or criminal court;
 - Disqualification from acting as district attorney general; or
 - Vacancy in the office.
- The proposed legislation expands such instances to include the required appointment of a district attorney general pro tem to prosecute specific offenses that an acting district attorney general publicly states will not be prosecuted under any circumstances.
- The proposed legislation may result in increases in expenditures related to district attorney general pro tem appointments; however, the timing, duration, and compensation of any appointment are unknown and cannot be estimated with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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